

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

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APR - 2 2013

JAMES N. HATTEN, CLERK
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J. Brannon

DEMETRIUS NICKENS

PLAINTIFF

Vs.

**EQUIFAX INFORMATION SERVICES
LLC, ET AL**

DEFENDANT

Civil 1-13-CV-0333

* * * * *

PLAINTIFF STATEMENT OF MATERIAL FACTS

1. Demetrius Nickens is Plaintiff in this case.
2. Plaintiff had an account with HSBC.
3. Plaintiff account was opened before December 30, 2009.
4. On December 30, 2009, the Defendant through counsel executed a settlement agreement in the United State District Court for the Southern District in re: Robert Ross vs. Bank of America, N.A., et al
5. The settlement agreement waived the arbitration for HSBC's customers, including Plaintiff.
6. The Defendant cannot arbitrate Plaintiff's claims.

Signed this 27th Day of March , 2013.


Demetrius Nickens
Plaintiff